

App. No. 09/788,329
Amendment Dated: January 31, 2006
Reply to Office Action of November 21, 2005

REMARKS/ARGUMENTS

In light of the suggestions in the Office Action dated November 21, 2005, applicants have amended independent claims 1, 7, 14 and 20. No new matter has been added.

I. Rejection of Claims 1-20 Under 35 U.S.C. §103(a)

Claims 1-6 and 20 were rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,292,669 issued to Meuronen et al. ("Meuronen"), in view of U.S. Patent No. 6,212,550 issued to Segur ("Segur"), and further in view of U.S. Patent No. 5,828,847 issued to Gehr et al. ("Gehr"). Claims 7-13 were rejected under 35 U.S.C. 103(a) as being unpatentable over Meuronen, Segur, and Gehr as applied to the claims above, and further in view of U.S. Patent No. 6,560,456 issued to Lothia et al. ("Lothia"). Claim 14 was rejected under 35 U.S.C. 103(a) as being unpatentable over Meuronen and Gehr as applied to the claims above, and further in view of U.S. Patent No. 5,457,680 issued to Kamm et al. ("Kamm"). Claims 15-19 were rejected under 35 U.S.C. 103(a) as being unpatentable over Meuronen, Gehr and Kamm as applied to the claims above, and further in view of Segur. Applicants have amended the claims for the reasons set forth below. For those reasons, applicants believe that the claims distinguish the references.

II. Suggestions in Office Action Dated November 21, 2005

In the Office Action dated November 21, 2005, Examiner Nash stated that applicants' arguments in the prior Response were not persuasive. Examiner Nash continued by pointing out possible elements that may be found to distinguish the cited references. Examiner Nash stated as follows:

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In considering (II), Applicant contends that Segur teaches that a user must send a query to obtain his or her messages. However, Applicants' arguments suggest that the references fail to show certain features of applicants' invention (i.e. an application being informed that a message is waiting without instigating the recovery of the message) that are not recited in the rejected claims. In addition, the claim language does not exclude the additional step of a query being sent in order to receive the aforementioned indication informing an application that the messages are waiting, as disclosed by Segur... Therefore, the Examiner maintains rejections as set forth below in the office action. *Office Action*, at page 3. (Emphasis in Original).

Applicants have incorporated the suggestion in the Office Action as more fully set forth herein. Applicants assert that the claims are in condition for allowance.

III. Rejection of Claims 1-20 Under 35 U.S.C. §103(a)

Even though applicants believe that the claims are allowable as written, independent claims 1, 7, 14 and 20 have been amended as set forth above to further clarify the invention. Independent claim 1 includes the following elements that are not taught or otherwise suggested by the cited references:

"informing an application associated with the provider that the message is waiting without the application sending a query to receive an indication that the message is waiting."

Independent claim 7 includes the following elements that are not taught or otherwise suggested by the cited references:

"associating the message with the first prioritized provider when the first prioritized provider recognizes the character sequence, wherein an application associated with the first prioritized provider is informed that the message is waiting without the application sending a query to receive an indication that the message is waiting"

Independent claim 14 includes the following elements that are not taught or otherwise suggested by the cited references:

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"delivering the message to an application associated with the at least one provider when the at least one provider recognizes the provider indicator, wherein the application is informed that the message is waiting *without the application sending a query to receive an indication that the message is waiting.*"

Independent claim 20 includes the following elements that are not taught or otherwise suggested by the cited references:

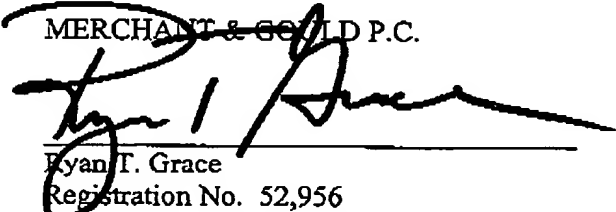
"informing an application that the message is waiting without the application sending a query to receive an indication that the message is waiting."

In light of the lack of teaching in the prior art and the suggestions in the Office Action, applicants assert that independent claims 1, 7, 14 and 20 are in condition for allowance. Claims 2-6, 8-13 and 15-19 contain elements not taught or otherwise suggested in the cited references. Moreover, claims 2-6, 8-13 and 15-19 ultimately depend from claims 1, 7 and 14, respectively. Claims 1, 7 and 14 are allowable for the reasons set forth above. Accordingly, applicants assert that claims 2-6, 8-13 and 15-19 are allowable for at least those same reasons.

In view of the above amendments and remarks, applicants respectfully request a Notice of Allowance. If the Examiner believes a telephone conference would advance the prosecution of this application, the Examiner is invited to telephone the undersigned at the below-listed telephone number.

Respectfully submitted,

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